

REMARKS

Claims 1 - 43 are currently pending with Claims 30 - 36 having been withdrawn from consideration and Claims 1 - 29 and 37 - 43 having been examined on the merits. In the Office Action, Claims 1 - 29 and 37 - 43 were rejected as allegedly being obvious over U.S. Patent No. 4,276,334 to Sugihara in view of U.S. Patent No. 5,700,586 to Laiho et al. ("Laiho"). No other grounds of objection or rejection were noted in the Office Action. Each of the foregoing rejections is respectfully traversed and favorable reconsideration is requested in view of the above amendments and following remarks.

I. **The Claimed Invention Patentably Distinguishes Over the Cited References.**

The claimed invention provides a method of affixing a strip, and in particular a reinforcement strip, to a substrate so as to provide a reinforced substrate material. Importantly, according to the claimed method, the strip is first applied to the substrate either with no bonding between the substrate and strip or by only temporarily applying the strip to the substrate. An extrusion coating is then applied over top of the strip and the substrate. Once cooled and hardened, this coating holds the strip in place relative to the substrate. However, the strip remains substantially unbonded to the substrate along its underside.

This feature, the substantial lack of bonding between the strip and the substrate, provides significant benefits from the viewpoint of reinforcement of the substrate. As explained in Applicant's specification at pages 12 and 13, when a reinforcement material and an underlying substrate are continuously bonded to one another along their interfaces such as with an adhesive, the two layers tend to act as a single, unitary piece. Any tearing or breakage of one typically leads to a similar failure in the other. However, in the present invention the substrate and the reinforcement strip or strips are allowed to move and to resist stresses substantially independently of one another by virtue of the relatively loose and indirect bonding of the reinforcement strips to the substrate. As a result, a greater reinforcement effect is

achieved than if the reinforcement strips were directly bonded to the underlying substrate.

The claimed method, and the resultant benefits in substrate reinforcement described above, are neither shown nor suggested in the cited references.

The Examiner's primary reference, Sugihara, describes pressure sensitive recording sheets for use in labels and the like. According to Sugihara, these are formed by sandwiching an "opaque pressure clarifiable layer" between a support sheet and a transparent overlayer. The opaque pressure clarifiable layer is simply a material which is initially opaque, but which changes to a clear or transparent state when it is written upon by a stylus or other instrument. As an initial matter, it is questionable whether this layer has any significant reinforcement value. More, importantly, Sugihara says nothing about use of an extruded overcoating to affix this layer to the support sheet. Instead, Sugihara teaches the use of adhesives for this purpose. Suitable adhesives are said to include pressure sensitive and water soluble adhesives but the use of extrusion coatings is neither disclosed nor suggested.

The Examiner attempts to overcome this shortcoming by citing the Laiho patent, but Laiho does not cure the deficiencies of the Sugihara patent. Laiho describes the joining of two webs by extrusion of an extrudate material between the two webs which bonds the webs together. Thus, Laiho fails to disclose or suggest a method of joining a strip and substrate with an overcoat of extrudate so that the strip remains substantially unbonded to the substrate. In fact, Laiho teaches away from the claimed methodology.

If, hypothetically, the Sugihara and Laiho references could be combined, one of skill would likely be led by the Laiho reference to dispose the extrudate between the reinforcement strips and the substrate, i.e., under the strips rather than on top of them. Thus, the resultant structure would not have reinforcement strips which whose undersides are substantially unbonded to the substrate surface as in the claimed invention, and so the extra reinforcements effect of having the strips be unbonded as in the claimed invention would be lost.

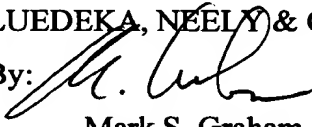
However, in fact, the two references cannot be combined since there is no motivation in the art to combine the two references. The Federal Circuit has stated repeatedly that two references cannot be combined in an obviousness rejection unless there is some clear

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motivation in the art which would lead one to combine the references. See, e.g., In re Lee, 277 F.3d 1338, 61 USPQ2d 1430 (Fed. Cir. 2002). Such motivation is entirely lacking in this case. Accordingly, the Examiner's rejections are based upon an impermissible hindsight reconstruction of the invention using the Applicant's own invention as a template.

In light of the foregoing, the Applicant urges the Examiner to reconsider the application, to withdraw the rejections, and to issue a notice of allowance at the earliest possible convenience.

In the event this response is not timely filed, Applicant hereby petitions for the appropriate extension of time and request that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our **Deposit Account No. 12-2355**.

Respectfully submitted,
LUEDEKA, NEELY & GRAHAM, P.C.
By: 
Mark S. Graham
Registration No. 32,355

MSG:JDG:lal

Date: September 3, 2003
P.O. Box 1871
Knoxville, Tennessee 37901
(865) 546-4305

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